IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL W.P.NO.2509 OF 2005

D.Jesus Leo and Ors. ..Petitioners

Vs.

State of Maharashtra & Anr. ..Respondents

...

S.V.Marwadi Advocate for Petitioners
S.A.P.Thomas for Respondent no.2
B.H.Mehta A.P.P. for the State

...

**CORAM: SMT.V.K.TAHILRAMANI,J.**
**DATE : OCTOBER 24, 2005**

**P.C.**

1. Heard the learned advocate for the petitioners-original accused, learned advocate for the respondent no.2-complainant and the learned A.P.P. for the State.

2. The petitioners have prayed for quashing of proceedings relating to C.R.No.I-128 of 2005 of Vashi Police Station. The said complaint is mainly under Sections 498-A and 406 r.w. 34 of IPC. The learned advocate for the respondent no.2-wife i.e.

original complainant has stated that the matter has been amicably settled between the parties and parties have arrived at consent terms. The consent terms are at Exhibit-B. The said consent terms have been filed in Cri.Application No.4707 of 2005 before this Court. The said application came to be disposed of by order dated 28.9.2005. In view of the consent terms, it is prayed that the proceedings relating to said C.R.I-128 of 2005, be quashed. The learned A.P.P. has no objection to the said proceedings relating to said C.R.NO.I-128 of 2005, being quashed.

3. Looking to the fact that the parties have amicably settled their dispute and the consent terms are filed, this writ petition is disposed of in terms of consent terms. The property seized in C.R.No.I-128 of 2005 be returned to the complainant.

4. Writ petition is disposed of.

[V.K.TAHILRAMANI,J.]